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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,418	10/25/2001	John D. Laughlin	10008065	9295

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EXAMINER

CHAU, MINH H


ART UNIT

PAPER NUMBER

2854

DATE MAILED: 09/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/061,418	LAUGHLIN, JOHN D.	
	Examiner	Art Unit	
	Minh H Chau	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 6-8, 11, 13 and 15-20 is/are rejected.
- 7) ☒ Claim(s) 3, 5, 9, 10 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Objections*

1. **Claims 1-4, 6-9 and 12** are objected to because of the following informalities: There is insufficient antecedent basis for the following recitations:

“said spell checking program” as recited in claims 1-4, 6-9 and 12;

“said printer memory” as recited in claim 2.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1, 2, 6, 15 and 19** are rejected under 35 U.S.C. 102(b) as being anticipated by Sugiyama (US # 5,745,911).

**With respect to claim 1**, Sugiyama teaches a printing device adapted to provide a spell-checking feature, the print apparatus comprising a print engine (8) for printing a document, a CPU or a processor (1) connected to the print engine for controlling the print engine and a memory device (6) connected to the processor, the memory device contained therein a spell checking program (inherent feature) which is executable by the processor (see Fig. 2 and cols. 3-4 of Sugiyama).

**With respect to claims 2, 6 and 19**, see col. 4 of Sugiyama that teach the printing device including a determining means or program instructions means such that when executed by the CPU causes the CPU to determine misspelled words in the document file by comparing misspelled words with words contained in a dictionary stored in the memory device (6).

**With respect to claim 15**, Sugiyama teaches a computer program product comprising a computer readable code stored on a computer readable medium, the computer readable code when executed causing a printing device to accept an input data or an input print job file, process the input data or print job file with a CPU or a processor (1), the processing comprising executing a spelling check program stored in a printer memory, the spelling check program for identifying a misspelled words in the input data or the print job file (see Fig. 2 and cols. 3-4 of Sugiyama).

**4. Claims 1, 2, 6, 7, 11, 15, 16 and 19** are rejected under 35 U.S.C. 102(b) as being anticipated by Sakai (US # 4,818,131).

**With respect to claim 1**, Sakai teaches a printing device (Fig. 1) adapted to provide a spell checking feature, the print apparatus comprising a print engine (14) for printing a document, a CPU or a processor (64) connected to the print engine for controlling the print engine and a memory device (68) connected to the processor, the memory device contained therein a spell checking program which is executable by the processor (see Figs. 1-2 and cols. 5-7 of Sakai).

**With respect to claims 2, 6 and 19**, see col. 7 of Sakai that teach the spell checking program comprises control programs or instructions that when executed by the CPU causes the

CPU to identify misspelled words in the document file by comparing misspelled words with words contained in a dictionary stored in the memory device (68).

**With respect to claim 7**, see Fig. 2 and col. 6, lines 33-35 of Sakai that teach an interface (74) to connect the printing device with an external device such as a computer to allow the communication between the computer and the printing device. In view of this teaching, it is clear to one of skill in the art that the spell-checking program is capable or adapted for use by a computer communicating with the printing device. It is also noted that, the language as recited in claim 7 is for intend for use only.

**With respect to claim 11**, see Fig. 2 and col. 6, lines 33-35 of Sakai that teach an interface (74) to connect the printing device with an external device such as a computer. In view of this teaching, it is clear to one of skill in the art that the print apparatus may be connected to the computer over a communication network and the computer may be remotely located from the print apparatus. It is also noted that the communication network, which include the computer, is well known in the prior art.

**With respect to claim 15**, Sakai teaches a computer program product comprising a computer readable code stored on a computer readable medium, the computer readable code when executed causing a printing device to accept an input data or an input print job file, process the input data or print job file with a CPU or a processor (64), the processing comprising executing a spelling check program stored in a printer memory (68), the spelling check program for identifying a misspelled words in the input data or the print job file (see Figs. 1-2 and cols. 5-7 of Sakai).

·**With respect to claim 16**, see cols. 7-8 of Sakai that teaches a correction mode or a spell check flag to activate or cancel the spelling check processing of the input data.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 8 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai as applied to claims 1, 7 and 15 above, and in view of Do (US #6,275,709).

**With respect to claims 8 and 20**, Sakai teaches the disclosed invention as explained above, except for the limitation of “a distributed service ... broker architecture” (lines 2-4 of claim 8) and “a spelling check program ... broker architecture” (lines 2-4 of claim 20)

The Applicant had indicated in page 9 of the specification, that the “conventional spell checking programs and methods for implementing such programs are widely available and the methods associated with operating a software program as a D-COM or a COBRA are well known in the art”. The Examiner also disclosed the prior art to Do that teach a software program such as COBRA which can be installed in any distributed system (see col. 2 of Do).

In view of the above teaching, it would have been obvious to one of ordinary skill in the art to modify the device of Sakai to including a distributed service such as COBRA as taught by

Art Unit: 2854

Do or as well known in the art to allow the spell checking program available for usage by external devices such as a computer.

7. **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai as applied to claims 1 and 7 above, and in view of Haartsen (US #6,028,853).

**With respect to claim 13**, Sakai teaches the disclosed invention as explained above, except for the recitation of “said computer is connected to the print apparatus by a wireless communication link”.

Haartsen teaches a network system comprising a computer is connected to printing device by a wireless communications link (see Fig. 1 of Haartsen).

In view of this teaching, it would have been obvious to one of ordinary skill in the art to modify the device of Sakai to include the computer is connected to printing device by a wireless communications link as taught by Haartsen to allow the connection between the printing device and the computer without any difficult.

8. **Claims 17 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakai as applied to claim 15 above, and in view of Schabes et al. (US #6,424,983).

**With respect to claim 17**, Sakai teaches the disclosed invention as explained above, except for the recitation of “print apparatus is for connection to a computer and the print job file is generated from the computer”

Schabes et al. a printing system including a printer (19) that is connected to a computer (4) and receives a print job from a computer (see Figs. 1-2 and col. 8 of Schabes et al.)

In view of this teaching, it would have been obvious to one of ordinary skill in the art to modify the device of Sakai to including a printer that is connected to a computer and receives a print job from a computer as taught by Schabes et al. allow a specific print job from an external device is able to printed on the printing device.

**With respect to claim 18**, Sakai teaches the disclosed invention as explained above, except for the recitation of “computer is for connection ... protocol communications”

Schabes et al. a printing system comprising a computer (4) is for connection to the printer (19) over a communications network that supports internet protocol communications (see Fig. 1 and cols. 7-8 of Schabes et al.).

In view of this teaching, it would have been obvious to one of ordinary skill in the art to modify the device of Sakai to including the computer is for connection to the printer over a communications network that supports internet protocol communications as taught by Schabes et al. to allow the printing device be able to use by the other computer device that is connected to the communication network.

#### ***Allowable Subject Matter***

**8. Claims 3-5, 9, 10 and 12** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the objection above and in independent form including all of the limitations of the base claim and any intervening claims.

**9. Claim 14** is allowed.



Art Unit: 2854

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Applicant's attention is invited to the patents to Ueno (JP 03-134768A) and Kobayashi et al. (US # 4,995,740).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh H Chau whose telephone number is (703) 305-0298. The examiner can normally be reached on M - TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (703) 305-6619. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

MHC

